



**REQUEST FOR QUALIFICATIONS  
(RFQ) & EXPRESSIONS OF INTEREST  
CONSULTING SERVICES**  
(29 Del.C. §6981(h))

**Agreement No. 1512**

**Drug and Alcohol Testing Program 3<sup>rd</sup> Party Administration**

**PROJECT DESCRIPTION**

The purpose of this process is to select one firm to provide third party administrative services for the Department's Drug and Alcohol Testing Program. The Department has employees covered under the USDOT 49 CFR Part 40 drug and alcohol testing regulations. The selected firm is responsible to administer all programs in full compliance with applicable USDOT regulations and practices for DelDOT employees covered under the Federal Motor Carrier Safety Administration (FMCSA) 49 CFR Part 382. The selected firm will also administer the Department's non-DOT drug and alcohol testing program. The term of this agreement will be for five (5) years.

**CONSULTANT SERVICES REQUIRED**

Services include but are not limited to the following:

1. Maintain "Random Selection Pool" and full compliance with USDOT regulations for: Delaware Department of Transportation (DelDOT) under FMCSA regulations.
2. Maintain separate consortium pools for:  
DelDOT (FMCSA regulations) DOT and non-DOT drug and alcohol testing.
3. Assure mobile on site collection availability for statewide coverage (when applicable):  
Kent County  
Sussex County  
New Castle County
4. Clearly define an after hours testing process and assure after hour collection availability for the six DOT and non-DOT testing categories.
5. Maintain at least one collection site in each county capable of providing Direct Observation (DO) collections during normal and after hours.
6. Maintain resumes and certifications of Medical Review Officers (MRO's).
7. Maintain Breath Alcohol Technician (BAT) certifications of all specimen collectors.
8. Establish a detailed Drug and Alcohol process for all testing categories.
9. Maintain documentation on all test collection sites as well as testing labs.
10. Provide no more than 48-hour response time notification for negative drug screens.

11. Monitor all collection sites to ensure compliance with FMCSA regulations. Assure that all drug and alcohol tests are performed on the appropriate DOT chain of custody form. In the event that tests are reported incorrectly, provide the Department with an affidavit to acknowledge the error and the corrective actions in place to avoid such errors. (A close, professional working relationship between the provider and all established collection sites is critical to the Department's success of remaining DOT compliant.)
  12. Assure availability to assist with FMCSA audits and/or litigation hearings.
  13. Maintain the selection numbers, ensuring compliance with the current FMCSA testing rates.
  14. Maintain the follow-up testing schedules for all applicable pending tests.
  15. Maintain and send quarterly and annual statistical reports for each of the Department's testing categories and/or pools.
  16. Provide secured Internet access reporting capability to the Department's Designated Employer Representative (DER) and/or designee(s).
  17. Forward all Chain of Custody (COC) employer copy and the MRO result form together via US mail to the Department's DER and/or designee(s).
  18. All invoices submitted to the Department for payment must include detailed information regarding pool, test type, test date, employee name, etc.
- All Drug and Alcohol Testing services must be monitored via the utilization of a Drug and Alcohol tracking software package.(i.e. Hidie, DrugPak, JJ Kellers etc.)

### **SUBMISSION REQUIREMENTS**

1. **Expression of Interest submissions** must be received by: **3:00 P.M. Local Time, Tuesday, November 17, 2009.**

Facsimile responses to this Request for Expressions of Interest are not acceptable. No response hand-delivered or otherwise will be accepted after the above date and time. Expressions of Interest arriving after the deadline will be rejected regardless of the reason for late arrival. DelDOT's time is considered the official time for determining the cut-off for accepting Expression of Interest submissions. Firms wishing to be considered for work on this project must submit statements expressing interest as set forth herein. Any variation, including additions, is considered a basis for rejection. Expressions of Interest are to be mailed or delivered to:

James Hoagland  
Contract Administration  
Delaware Department of Transportation  
800 Bay Road, Dover, DE 19901

2. **Specific Type Firm Solicited:**

The Prime Consultant is not required to register with DelDOT or appear on the Department's list of registered consultants at the time of submission in order to be considered for evaluation on this project.

3. **The Consultant shall submit six (6) copies** of an Expression of Interest. Receipt of insufficient copies of the Expression of Interest and non-compliance with providing the requested information in the desired format may result in elimination from the overall shortlist and selection process.
4. **Joint venture** submissions will not be considered.
5. **DelDOT reserves the right to reject** any and all Expressions of Interest. All submissions become property of the Delaware Department of Transportation and shall be retained for a period not to exceed 30 days from the date of the approved shortlist. DelDOT reserves the right to any and all ideas included in this response without incurring any obligations to the responding firms or committing to procurement of the proposed services.

### **RATING CRITERIA**

Major factors/criteria for the establishment of a reduced candidate/shortlist and selection:

- A. Key staffing
- B. Firm resources & capability to accomplish proposed work on schedule
- C. Experience on similar projects
- D. Understanding of services required and responses to the specific points outlined
- E. Reporting procedures
- F. Locations where work will be accomplished
- G. Proposed Fee Structure

**NOTE:** DelDOT maintains a strict policy of not providing a debriefing for those candidates that do not make the shortlist. If a firm is not included in the Shortlist, it does not indicate they are not qualified, it is an indication the Shortlist Committee determined others appeared to be more qualified based on the information submitted. Shortlist and Selection Committee membership appointments are confidential.

### **QUESTIONS**

Questions regarding this RFQ should be submitted via email. Questions received and the Department's response will be provided on the Department's web site; <http://www.deldot.gov/>. Click on 'Doing Business', under 'Professional Services', click on 'Current Requests for Consulting Services'.

### **CONTACTS**

**Questions concerning submissions and procedures** may be obtained from: Jim Hoagland, Contract Administration Telephone: (302) 760-2036. E-mail address: [jim.hoagland@state.de.us](mailto:jim.hoagland@state.de.us).

### **OVERVIEW OF SELECTION PROCESS**

The Expressions of Interest will be used to determine a reduced candidate's list/short list and also will be used for reference material during the actual selection process. Once a short list has been determined, a mandatory pre-proposal meeting may be established for a briefing and provides an

opportunity for the short-listed candidates to ask questions. Once the Pre-proposal Meeting has been completed, there may be a written submission and/or oral interview sessions scheduled, after which the committee will determine the successful candidate.

After the selection process has been completed, applicable price information will be requested from the successful candidate; i.e. salary rates for various classifications of personnel, and an indirect cost derivation for the most current accounting period. Firms responding to this RFQ should be aware that the Department will not entertain direct cost charges for items needed to perform the work required. It is expected that all firms submitting are prepared for the work and include necessary work materials in their overhead rates. If an interested firm is requested to submit a priced proposal, the proposal should substantially reflect the same composition and area of involvement as the Expression of Interest submission.

Payroll burden and overhead will be computed on direct salary costs only (not including overtime) at the consultant's audited rate, as per Federal Acquisition Regulations Part 31, and Department policies. Computer costs are not allowable as a direct cost to this project. Rate determination and applicability is subject to audit by the Department. Additionally, candidates should be prepared for the Department to work with your current accounting firm to provide information and backup documentation. Full and immediate cooperation is required to avoid delays in execution of an agreement. Failure to cooperate may result in breaking off of negotiations and moving to the next ranked firm.

### **EXPRESSION OF INTEREST REQUIREMENTS**

The letter portion of the Expression of Interest shall indicate the firms desire to perform services and indicate the specific tasks or areas of expertise, which will be subcontracted, and to whom. Interested firms must submit the material required herein or they will not be considered for the project.

1. Please submit the firm's mailing address, phone number, and an e-mail address for the firm's point of contact person on page 1 of the Letter of Interest. Future contacts by DelDOT will be done via e-mail, whenever possible.
2. The Expression of Interest submission should be tabbed and collated as follows:

#### **A. Table of Contents**

Table of Contents (1 per set) - Limited to One (1) page on 1 sheet of paper

#### **B. Letter of Interest**

Letter of Interest (1 per set) - Limited to six (6) pages on three (3) sheets of paper

Indicate the following:

- (1) An understanding of the anticipated assignments, services required, and approach to providing the services required. In addition to the Requirements listed above, specifically discuss the following:
  - a) What is the firm's response time to positive drug screen reporting;
  - b) How soon and how frequently are drug screen result documentations mailed out to clients;
  - c) What software program is utilized for results tracking;\
  - d) How do disclosures occur (i.e. web base reporting, tracking systems etc.)
  - e) What, if any, experiences has the firm had with FMCSA audits;
  - f) What support the firm provides with regard to being ready for an audit and/or litigation.

- g) Payment timeframes and procedures to referral labs;
  - h) Under what circumstances, if any, has any DOT service provider refused service to your firm.
- (2) Identify who the proposed project manager will be and the location they will be working from.
  - (3) Availability of personnel for immediate placement.
  - (4) The Prime/Lead consultant must indicate the present workload either as a Prime Consultant or a Sub-Consultant with the Delaware Department of Transportation by Location, Agreement No. (to include Supplementals), Total Dollar Upset Limit, total paid-to-date, and the amount still available for use on the project(s). Also, include the estimated date of completion. If possible, include the estimated fees for any Delaware DOT projects for which your firm has been selected and does not have an executed agreement in place.
  - (5) Provide a listing of contracts with DelDOT for the past five (5) years. Clearly indicate if your firm has not been short listed for a DelDOT project within the past five (5) years.

### **C. Project Organization Chart**

Project Organization Chart (1 per set) - Limited to one (1) side of one sheet of paper.

### **D. Company Information**

- (1) Submit the following packet of information entitled "Company Information" to include:
  - (a) Name and address of firm.
  - (b) Name, Title, Telephone Number and e-mail address of Contact Person.
  - (c) Address of office where work will be performed.
  - (d) Names & Addresses of any sub consultants, if applicable. Indicate if the prime consultant has worked with the sub consultant previously.
  - (e) Resumes for 5 key persons (5-single sided sheets of paper – 1 resume on each sheet). Indicate if the individual is a full-time member of your firm, part-time, on-call, etc. Indicate where key personnel are currently assigned & the length of the assignment. Clearly identify who will be the Project Manager.
  - (f) List a maximum of 5 projects that your firm has participated in within the last 3 years that are similar to the requirements in the Project Description portion of this Request for Services. Include project name and location, nature of responsibility, contracting agency and address on one, single-sided sheet of paper.

### **E. Fee Structure**

Provide your firm's anticipated fee structure for the following procedures:

#### **DOT/FTA Regulated 5 Panel Drug Screen**

At Client's site (mobile unit):

Off Client's site (third party collection facility):

Include collection fee, MRO and lab testing

**Non-Regulated 10 Panel Drug Screen**

At Client's site (mobile unit):

Off Client's site (third party collection facility):

Include collection fee, MRO and lab testing

**Breath / Alcohol Testing**

At Client's site (mobile unit):

Off Client's site (third party collection facility):

Blood Alcohol

Urine Alcohol with drug collection

**Split Specimen Transfer for Confirmation of Positives**

Donor requested, DOT required transfer of a positive specimen to a second DHSS approved lab for confirmation of the positive substance.

**After Hours Post Accident Drug & Alcohol Services**

(Charge is in addition to costs of tests performed)

**Blind Samples (If Applicable)****Expert testimony via telephone by MRO or Laboratory Certifying Scientist****Expert testimony requiring off-site appearance by MRO or Laboratory Certifying Scientist -per day**

(It is understood that these fees may not be the entire fee for service chargeable under this agreement.)

**F. Collection Sites**

Provide a list, by county, of the proposed collection sites your firm uses or intends to use for this Agreement. Indicate which collection sites can provide after hours collections as well as Direct Observation collections.

**G. References**

List a minimum of three companies preferably with 1000 or more employees, that we may contact as professional references for your Drug and Alcohol TPA services. The references must include verified addresses and telephone numbers, contact persons, and a brief description of services that have been provided similar to those described for this project. References shall be shown on a separate sheet limited to one (1) single-sided sheet. These shall not be included as part of the six-page Letter of Interest or Company Information sections but may include projects referenced in Section (f) of Company Information listed above.

No promotional materials or brochures to be included as part of the Expression of Interest package.

The Department is not liable for any cost incurred by the consultant in the preparation or presentation of the Statement of Qualifications.

The Department of Transportation will affirmatively insure individuals and businesses will not be discriminated against on the grounds of race, creed, color, sex, or national origin in consideration for an award. Minority business enterprises will be afforded full opportunity to submit bids/proposals in response to this invitation.

**Department of Transportation**

**State of Delaware**

**By: Carolann Wicks, P.E.**

**Secretary**

**Dover, DE**

**October 15, 2009**